

EXHIBIT 8

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA
MUNIZ, ELIZA CAMBA, SAL CATALDO,
EMIR GOENAGA, JULIAN SANTIAGO,
HAROLD NYANJOM, KELLIE NYANJOM,
AND SUSAN LYNN HARVEY,
INDIVIDUALLY AND ON BEHALF OF ALL
OTHERS SIMILARLY SITUATED,

PLAINTIFFS,

vs.

NO. 3:20-CV-04688

GOOGLE LLC,

DEFENDANT.

_____ /

VIDEOTAPED DEPOSITION OF SUSAN HARVEY

VIA REMOTE COUNSEL VIDEOCONFERENCE

THURSDAY, OCTOBER 27, 2022

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STENOGRAPHICALLY REPORTED BY:

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JOB NO. 5516967

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1 can't keep that promise. You can't figure out how 05:21:27
2 to do it, that's not my fault. They shouldn't have 05:21:30
3 made a promise in the first place. 05:21:34

4 Q. So I understand that you believe that a 05:21:35
5 court would not do this. But just imagine for the 05:21:39
6 possibility that you were wrong about what is and 05:21:44
7 isn't illegal and the court rules that from Google 05:21:47
8 doesn't have to change it's behavior. 05:21:52

9 Would you then delete those apps? 05:21:54

10 A. I can't believe that would ever happen. 05:21:57

11 Q. Ms. Harvey, I understand that you cannot 05:22:00
12 believe that it will happen, but imagine that it 05:22:01
13 does. 05:22:05

14 A. I -- I can't imagine that. Why -- why 05:22:06
15 would that happen? You can't make a promise, break 05:22:09
16 that promise, make money off people's data when they 05:22:12
17 said that they weren't going to do that, and -- and 05:22:17
18 it be okay. It's not okay. 05:22:19

19 Q. Ms. Harvey, for example, your last case 05:22:23
20 was dismissed on statute of limitations grounds. 05:22:25
21 Let's say that this case gets dismissed on statute 05:22:28
22 of limitations grounds. 05:22:32

23 In that case, would you delete these apps 05:22:34
24 off your phone? 05:22:38

25 A. It's not going to get dismissed for 05:22:40

1 statute of limitations. So I don't even have to 05:22:42
2 consider that, correct? 05:22:45
3 Q. Would you ever delete your Google account? 05:22:48
4 MR. LEE: Objection. Vague. 05:22:52
5 THE WITNESS: What other option do I have 05:22:55
6 on an Android device so I can use the Play Store? 05:22:57
7 MR. LEE: Can I get a time check? 05:23:11
8 THE VIDEO OPERATOR: 6:23. 05:23:19
9 MR. LEE: I'm sorry? 05:23:20
10 THE WITNESS: Six hours, 23 minutes. 05:23:22
11 MR. LEE: Thank you. 05:23:29
12 BY MR. MATEEN: 05:23:29
13 Q. Ms. Harvey, since filing this case, have 05:23:30
14 you used any apps differently than you did before? 05:23:33
15 A. No. I'm trying to find out what's going 05:23:38
16 on. It's being investigated right now. They're 05:23:40
17 checking everything out. So if I stopped using 05:23:46
18 those things, then nothing would be found out, would 05:23:49
19 it? 05:23:52
20 Q. Have you interacted with anyone in your 05:23:53
21 life any differently than before you filed your 05:23:55
22 lawsuit? 05:23:57
23 MR. LEE: Objection. Vague. 05:23:58
24 THE WITNESS: With who? I don't 05:24:02
25 understand. 05:24:04

1 BY MR. MATEEN: 05:24:05

2 Q. Have you communicated with anybody you 05:24:11

3 know differently? 05:24:15

4 MR. LEE: Objection. Vague. 05:24:17

5 BY MR. MATEEN: 05:24:18

6 Q. Have you communicated with anybody you 05:24:23

7 know differently since filing your lawsuit? 05:24:24

8 MR. LEE: Objection. Vague. 05:24:27

9 BY MR. MATEEN: 05:24:27

10 Q. Ms. Harvey, you can answer to the extent 05:24:36

11 that you are able to. 05:24:37

12 A. Who? 05:24:39

13 Q. Any person. 05:24:41

14 A. People that I know? 05:24:42

15 Q. Yes. 05:24:43

16 A. Why would I do that? They didn't do it. 05:24:44

17 They didn't make me a promise and break it. 05:24:48

18 Q. Have you taken any steps to protect 05:24:55

19 yourself from the alleged misconduct from Google? 05:24:57

20 A. I seeked a lawyer's advice. My 05:25:01

21 Web & App Activity is off. I was thinking the 05:25:06

22 information wasn't being collected and it was. 05:25:07

23 So, yes, I seeked a lawyer's advice. 05:25:10

24 Q. Since -- 05:25:13

25 THE VIDEO OPERATOR: Excuse me. This is 05:25:16

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